

# EXHIBIT 5

HCDistrictclerk.com

The State of Texas vs. [REDACTED] (SPN:  
01593321)

1/26/2021

Cause: 163435201010 CDI: 3 Court: 182

**APPEALS**

No Appeals found.

**RELATED CASES**

No related cases found.

**WITNESS**

No Witness found.

**SUMMARY****CASE DETAILS**

<b>File Date</b>	6/7/2019
<b>Case (Cause) Status</b>	Complete
<b>Offense</b>	ASSAULT-BODILY INJURY
<b>Last Instrument Filed</b>	Felony Indictment
<b>Case Disposition</b>	DISP-090220
<b>Case Completion Date</b>	9/2/2020
<b>Defendant Status</b>	DISPOSED
<b>Bond Amount</b>	\$20,000.00
<b>Next/Last Setting Date</b>	9/2/2020

**DEFENDANT DETAILS**

<b>Race/Sex</b>	W / F	<b>Height/Weight</b>	5'08 / 150 LBS
<b>Eyes</b>	BRO	<b>Hair</b>	BRO
<b>Skin</b>	FAR	<b>Build</b>	MED
<b>DOB</b>	[REDACTED] 1957	<b>In Custody</b>	N
<b>US Citizen</b>	YES	<b>Place Of Birth</b>	
<b>Address</b>	HOMELESS HOUSTON TX		
<b>Markings</b>	TAT WRS		

**CURRENT PRESIDING JUDGE**

<b>Court</b>	182 <sup>nd</sup>
<b>Address</b>	1200 Congress (Floor: 1) Houston, TX 77002 Phone: 7137556350
<b>JudgeName</b>	Danilo Lacayo
<b>Court Type</b>	Criminal

**BONDS**

Date	Type	Description	SNU
06/07/2019	BOND SET	Refer to 15.17 Hearing SNU: 999 06/07/19	

**ACTIVITIES**

Date	Type	Description	SNU/CFI
09/02/2020	SENTENCED IN	COURT 182 STARTING 09/02/20 SNU: 999 09/02/20	
09/02/2020	SENTENCE TO	1 YEAR CONFINEMENT 09/02/20	
09/02/2020	CREDIT GIVEN	DEFENDANT RECEIVED 455 DAYS CREDIT 09/02/20	
09/02/2020	ORDER	DISCOVERY LOG GRANTED SNU: 996 09/02/20	
09/02/2020	OFFENSE	ASSAULT-BODILY INJURY LEVEL MA 09/02/20	
09/02/2020	JUDGMENT	CONVICTION SNU: 999 09/02/20	

09/02/2020	JUDGMENT	LESSER OFF. GUILTY PLEA - NO JURY 09/02/20
09/02/2020	JUDG OFFENSE	ASSAULT-BODILY INJURY LEVEL MA 09/02/20
09/02/2020	PENALTY	HCJ AMOUNT 1 YEAR 09/02/20
08/12/2019	GRAND JURY ACTION	FID 08/12/19 G179 SNU: 999 08/12/19
08/12/2019	GRAND JURY ACTION	ROTATION CRT 182 OFF FREQ BND \$20000 08/12/19
08/12/2019	GRAND JURY ACTION	OFFENSE ASSAULT PEACE OFFICER LEVEL F2 08/12/19
08/12/2019	ORI	HOUSTON POLICE DEPAR OFFENSE NO: 71754219 08/12/19
08/12/2019	PRECEPT/SERVE IND DATE RETURNED 08/16/19	HOW EXECUTED E 08/16/19
	DATE SERVED	08/13/19 08/16/19
06/10/2019	ATTORNEY	KEATING, KEVIN P. SNU: 999 06/10/19
06/10/2019	ATTORNEY	DAT COURT 182 CFI 182 06/10/19
06/10/2019	JUDGE	LACAYO, DANILO JR PRESIDING 06/10/19
06/07/2019	COMPLAINT FILED	0730 182 ASSAULT PEACE OFFICER LEVEL F2 06/07/19
06/07/2019	BOND SET	Refer to 15.17 Hearing SNU: 999 06/07/19
06/07/2019	REVIEWED BY	HARRIGAN, DENNIS PATRICK 06/07/19
06/07/2019	ORI	HOUSTON POLICE DEPAR OFFENSE NO: 71754219 08/12/19
06/07/2019	COMPLAINANT	WOOTEN, T A 08/12/19
06/07/2019	CMIF	TIME 1645 AMOUNT \$20000 SNU: 999 06/07/19
06/07/2019	NOT ACKNOWLEDGED BY SHERIFF	06/07/19
06/07/2019	C87 ACTIVITY	PC FOUND STATUS CFI 182 SNU: 999 06/07/19
06/07/2019	C87 ACTIVITY	PROBABLE CAUSE FOUND 06/07/19
06/07/2019	MOTIONS	STATE HIGH BOND SNU: 999 06/07/19
06/07/2019	MOTIONS	FILED CFI 182 06/07/19
06/07/2019	ORDER	GRTD SET BAIL \$20000 H/O RN SNU: 997 06/07/19
06/07/2019	OFFENSE	ASSAULT PEACE OFFICER LEVEL F2 06/07/19
06/07/2019	ORDER	DEF NOT PRESENT @4PM DOCKET SNU: 998 06/07/19
06/07/2019	OFFENSE	ASSAULT PEACE OFFICER LEVEL F2 06/07/19
06/07/2019	ORDER	MI/ID PREVIOUSLY FOUND SNU: 999 06/07/19
06/07/2019	OFFENSE	ASSAULT PEACE OFFICER LEVEL F2 06/07/19

**BOOKINGS**

Arrest Date	Arrest Location	Booking Date
6/6/2019 8:04:00 PM	4412	6/6/2019 11:28:00 PM

**HOLDS**

Agency Placing Hold	Agency Name	Warrant Number	Bond Amount	Offense	Hold Placed	Hold Lifted
TX1010000	CENTRAL RECORDS			NEW CHRGS \$0.00 PENDING DA#2457415	7/6/2018	10/18/2018
TXHPD0000	HOUSTON PD		\$0.00	UNK CASES @	11/24/2016	3/20/2017

UNK AMT

**CRIMINAL HISTORY**

Case(Cause)Nbr / Defendant Status	Filed / Booked	Ct	Defendant Status	Disposition	Bond Amt	Type of Action / Offense	Next Setting
<a href="#">163435201010-3Complete(C)</a>	6/7/2019   6/6/2019	182	Disposed(D)	Disposed(DISP)9/2/2020	\$20,000.00	ASSAULT-BODILY INJURY (M)	9/2/2020
<a href="#">225367701010-2Dismissed(D)</a>	3/30/2019   5/23/2019	8	Disposed(D)	Dismissed(DISM)9/4/2020	\$101.00	ASSAULT-BODILY INJURY (M)	9/4/2020
<a href="#">159701301010-3Complete(C)</a>	7/6/2018   7/6/2018	339	Disposed(D)	Disposed(DISP)10/18/2018	\$20,000.00	ASSAULT PEACE OFFICER/JUDGE (F)	10/18/2018
<a href="#">22043120101A-4Active - CRIMINAL(A)</a>	5/15/2018	13	Warrant or Citation Issued(N)		\$500.00		
<a href="#">220431201010-2Complete(C)</a>	5/7/2018   7/6/2018	13	Disposed(D)	Disposed(DISP)8/21/2018	\$601.00	CRIM MISCH >=100 <\$750 (M)	8/21/2018
<a href="#">220315201010-2Complete(C)</a>	5/1/2018   5/1/2018	11	Disposed(D)	Disposed(DISP)5/2/2018	\$500.00	FAIL TO ID TO P.O. FALSE INF (M)	5/2/2018
<a href="#">21847700101A-4Temporary(T)</a>	1/12/2018	1	Temporary(T)	7/29/2018	\$1,000.00		
<a href="#">218477001010-2Complete(C)</a>	1/7/2018   1/12/2018	1	Disposed(D)	Disposed(DISP)2/22/2018	\$1,010.00	ASSAULT-BODILY INJURY (M)	2/22/2018
<a href="#">157074301010-3Complete(C)</a>	11/14/2017   11/14/2017	209	Disposed(D)	Disposed(DISP)11/20/2017	\$1,500.00	THEFT >=\$100<\$750 (M)	11/20/2017
<a href="#">156722801010-3Complete(C)</a>	10/11/2017   10/12/2017	177	Disposed(D)	Disposed(DISP)10/23/2017	\$1,500.00	THEFT >=\$100<\$750 (M)	10/23/2017
<a href="#">156202101010-3Complete(C)</a>	8/16/2017   8/16/2017	180	Disposed(D)	Disposed(DISP)8/18/2017	\$1,500.00	THEFT <\$2,500 2/MORE PREV CONVS (F)	8/18/2017
<a href="#">153201201010-3Complete(C)</a>	11/24/2016   11/25/2016	184	Disposed(D)	Disposed(DISP)11/28/2016	\$15,000.00	ATT THEFT (M)	11/28/2016
<a href="#">971706501010-2Complete(C)</a>	4/22/1997   4/22/1997	11	Disposed(D)	Disposed(DISP)4/23/1997	\$5,000.00	THEFT OF SERVICE-DECEP 50-500 (M)	4/23/1997

**ACTIVE PARTIES**

Name	Connection	Post Jdgm	SPN #
LACAYO, DANILO MORAYA JR	JUDGE - CRIMINAL		02126743
KEATING, KEVIN P	APPOINTED PUBLIC DEFENDER		50787813
	DEFENDANT - CRIMINAL		01593321

**INACTIVE PARTIES**

No inactive parties found.

**SETTINGS**

Date	Court Post Jdgm	Docket Type	Reason	Results	Defendant	Future Date	Comments	Attorney Appearance Indicator
6/10/2019 09:00 AM	182	Assigned Court	Preliminary Assigned Court Appearance	Reset By Operation Of Law	Data Not Entered	8/7/2019 12:00:00 AM		Present

8/07/2019 09:00 AM	182	Master Docket	Arraignment	Reset Upon Prosecutors Request	Present	9/19/2019 12:00:00 AM	Present
9/19/2019 09:00 AM	182	Master Docket	Arraignment	Reset Upon Defense Request	Data Not Entered	10/31/2019 12:00:00 AM	Present
10/31/2019 09:00 AM	182	Master Docket	Motion Hearing	Reset Upon Defense Request	Data Not Entered	12/19/2019 12:00:00 AM	Present
12/19/2019 09:00 AM	182	Master Docket	Motion Hearing	Reset Upon Defense Request	Present	2/19/2020 12:00:00 AM	Present
2/19/2020 09:00 AM	182	Master Docket	Motion Hearing	Reset Upon Defense Request	Present	4/16/2020 12:00:00 AM	Present
4/16/2020 09:00 AM	182	Master Docket	Motion Hearing	Reset By Operation Of Law	Data Not Entered	6/22/2020 12:00:00 AM	To Be Set
6/22/2020 09:00 AM	182	Attorney Consultation Docket	Motion Hearing	Reset Upon Defense Request	Data Not Entered	8/26/2020 12:00:00 AM	Present
8/26/2020 09:00 AM	182	Attorney Consultation Docket	Motion Hearing	Reset Upon Defense Request	Data Not Entered	8/31/2020 12:00:00 AM	Present
9/02/2020 09:00 AM	FJ	Video Plea Docket	Plea	Reduced To Misdemeanor Plea Guilty	Data Unavailable	1/1/0001 12:00:00 AM	Present
6/07/2019 04:00 PM	PCD	Motions Docket	Probable Cause Hearing	DEFENDANT NOT PRESENT	Absent	1/1/0001 12:00:00 AM	Absent

**ALIASES**

Defendant Alias	True Name	Race	Sex	DOB	SPN#
████████████████████		W	F	████1957	01593321
████████████████████		W	F	████1957	01593321
████████████████████		W	F	████1957	01593321
████████████████████	Yes	W	F	████1957	01593321

**PAYMENT PLAN**

Total Due: \$285.00 Total Paid: \$0.00 Payoff Amt: \$285.00 Past Due: \$0.00 Judgment Date: 9/2/2020

ID	DUE	FEES	COSTS	Pmt	DATE	LOCATION	TYPE	PAID	BALANCE	STATUS
				No						

**Totals:**

**DOCUMENTS**

Number	Document	Post Jdgm	Date	Pgs
92005674	Notice of Intent to Destroy Evidence		09/02/2020	1
92016792	ACKNOWLEDGMENT OF COMPLIANCE WITH ATICLE 39.14 DISPOSED - PLEA AGREEMENT		09/02/2020 09/02/2020	11

	DISPOSED-PLEA ADMONISHMENT	09/02/2020	
	DISPOSITION - TRIAL COURT CERTIFICATION OF DEFENDANT'S RIGHT OF APPEAL	09/02/2020	
	TRIAL - DISCOVERY	09/02/2020	
	TRIAL - RIGHT TO APPEAL	09/02/2020	
92017883	JUDGMENT OF CONVICTION BY COURT-WAIVER OF JURY TRIAL	09/02/2020	4
89538836	CASE RESET FORM	02/19/2020	1
88642135	CASE RESET FORM	12/19/2019	1
87896661	CASE RESET FORM	10/31/2019	1
87244536	CASE RESET FORM	09/19/2019	1
86610406	CHARGING INSTRUMENT - FELONY INDICTMENT	08/12/2019	1
86561237	CASE RESET FORM	08/07/2019	1
85808452	REQUEST FOR DISCOVERY, NOTICE AND DISCLOSURE OF STATE'S EXPERTS	06/19/2019	2
85684358	APPOINTING COUNSEL	06/10/2019	1
85630364	FINDING PREVIOUS ASSESSMENT FOR MI ID	06/07/2019	1
85631667	CHARGING INSTRUMENT - COMPLAINT	06/07/2019	1
85632100	STATES MOTION FOR HIGH BOND	06/07/2019	2
85632450	ADDITIONAL ORDERS	06/07/2019	2
	ADDITIONAL ORDERS	06/07/2019	
	ADDITIONAL ORDERS	06/07/2019	
	ADDITIONAL ORDERS	06/07/2019	
	COMMITMENT ISSUED - FELONY	06/07/2019	
	OTHER - PROBABLE CAUSE FOR FURTHER DETENTION	06/07/2019	

THE STATE OF TEXAS  
VS.

SPN: 01593321 01593321  
DOB: W F [REDACTED]  
DATE PREPARED: 6/7/2019

182  
D.A. LOG NUMBER: 2541159  
CJIS TRACKING NO.: 9267133047A001  
BY: KS DA NO: 2892257  
AGENCY:HPD  
O/R NO: 071754219  
ARREST DATE: 06/06/2019

NCIC CODE: 1399 23

RELATED CASES:

FELONY CHARGE: ASSAULT

CAUSE NO:  
HARRIS COUNTY DISTRICT COURT NO:  
FIRST SETTING DATE:

1634352  
182

BAIL: REFERRED TO (15.17)  
PRIOR CAUSE NO:  
CHARGE SEQ NUM: 1

**IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS:**

Before me, the undersigned Assistant District Attorney of Harris County, Texas, this day appeared the undersigned affiant, who under oath says that he has good reason to believe and does believe that in Harris County, Texas, [REDACTED], hereafter styled the Defendant, heretofore on or about **June 6, 2019**, did then and there unlawfully, intentionally and knowingly cause bodily injury to [REDACTED] hereinafter called the Complainant, a peace officer, by striking the Complainant with an umbrella, and at the time of the assault the defendant knew the complainant was a peace officer lawfully discharging an official duty.

**FILED**  
Marilyn Burgess  
District Clerk

JUN 07 2019

Time: [REDACTED]  
By: [REDACTED]  
Deputy

**AGAINST THE PEACE AND DIGNITY OF THE STATE.**

Sworn to and subscribed before me on June 07, 2019

K. Swearin  
AFFIANT

Ruth Yonne Smith  
ASSISTANT DISTRICT ATTORNEY  
OF HARRIS COUNTY, TEXAS  
Bar No. 03479320

**COMPLAINT**

CAUSE NO. 163435201010SPN: 01593321DATE/TIME OF ARREST: 6/6/2019 08:04 PM

THE STATE OF TEXAS

v.

DOB:           , 1957§ IN THE 182nd DISTRICT COURT

§

§ HARRIS COUNTY, TEXAS

Pgs-2

OTPC

(999-

OTCMIF

(999-

ADDO

(997-

998)

**PROBABLE CAUSE FOR FURTHER DETENTION – PR BOND/BAIL ORDER (Defendant Not Present)**The Defendant is accused of 2ND DEGREE FELONY, namely, ASSAULT PEACE OFFICER/JUDGE.

On this date and time, the Defendant was not present due to ☐ medical condition ☒ mental illness/IDD ☐ other, therefore only Probable Cause and Bail were determined.

**PROBABLE CAUSE FINDING AND ORDER**

- ☐ The Court **FINDS** that probable cause for further detention **DOES NOT EXIST**. The Court **ORDERS** the law enforcement agency and officer having custody of the defendant to immediately release the defendant from custody.
- ☒ The Court **FINDS** that probable cause for further detention **EXISTS**. The Court **ORDERS** the defendant committed to the custody of the Sheriff of Harris County, Texas, until he posts the required bond or until further order of the Court.
- ☐ Probable cause previously determined. The Court **ORDERS** the defendant committed to the custody of the Sheriff of Harris County, Texas, until he posts the required bond or until further order of the Court.

☒ SEE NEXT PAGE FOR BAIL ORDERJune 07, 2019 16:45 PM

Date and Time

Ronald C. Nicholas 64993200  
Magistrate (Judge or Hearing Officer)

\_\_\_\_\_  
Interpreter (if applicable)

Magistrate Ronald Nicholas (SPN 64993200)

(Rev. July 24, 2018)

Page 1 of 2



## STATUTORY WARNINGS BY MAGISTRATE - PROBABLE CAUSE FOR FURTHER DETENTION - PR BOND/BAIL ORDER

**PERSONAL BOND / BAIL ORDER**

Having found probable cause exists for the further detention of [REDACTED] the Court next determined the conditions of release for the accused to ensure he/she will appear and answer before the proper Court.

**PART 1: PUBLIC SAFETY ASSESSMENT**

The Court considered the Public Safety Assessment results and also considered the following presumptive personal bond recommendation:

- ☐ Personal Bond Recommended  
☐ Personal Bond **NOT** Recommended  
☒ Personal Bond Recommendation referred to Magistrate  
☐ PSA NOT available

**PART 2: PERSONAL BOND / BAIL REQUESTS**

Presumptive Bail Amount **\$888,888.00**

**A. DISTRICT ATTORNEY PR BOND / BAIL REQUEST**

- Personal Bond ☐ Requested ☐ Opposed  
☒ No Position
- Bail Request ☐ No DA Bail Request  
☐ Higher \_\_\_\_\_  
☒ Lower **\$50,000.00**  
☐ No Bail

**PART 3: FINANCIAL AFFIDAVIT**

Signed and Sworn: ☐ Yes  
☒ No

**ORDER**

After considering the above, the Court ORDERED the following:

Bail is set at: ☐ No Bail ☒ **\$20,000.00**  
☐ Conditions

Personal bond is: ☒ Not Approved Bond revoked in misd. \_\_\_\_\_  
☐ Approved ☐ Conditions

June 07, 2019 16:45 PM

Date and Time

*Ronald C. Nicholas* 64993200  
 Magistrate (Judge or Hearing Officer)

\_\_\_\_\_  
 Interpreter (if applicable)

THE STATE OF TEXAS

§

DISTRICT COURT

V

§

OF

§

HARRIS COUNTY, TEXAS

Defendant

ORDER APPOINTING COUNSEL

On this, the 10 day of June, 2019, the Court finds (CHECK ONE)

- ☒ the defendant/witness is indigent.  
☐ the interests of justice require representation.

Therefore, the Court ORDERS that ☐ the ATTORNEY LISTED BELOW ☒ the HARRIS COUNTY PUBLIC DEFENDER'S OFFICE is appointed to represent the defendant/witness named above in this cause.

Attorney/Assistant Public Defender Assigned by HCPD

E-Mail Address

**Harris County Public Defenders Office**  
**KEATING, KEVIN**  
 Address: **TSBN 00787813** **Asst. Public Defender**  
**TEL** **SPN 50787813**

Phone Number

City

State

Zip

Fax Number

SPN Number

Bar Number

The Court further ORDERS the cause set for:

On the 7 day of August, 2019 at 8:30 a.m. before this Court  
 at 1201 Franklin, Houston, Harris County, Texas.

Signed this 10 day of June, 2019

Judge Presiding

- ☐ The State has offered or ☐ The State and Defense agree as follows:

Defense Attorney (Initials) KE

Prosecutor (Initials) \_\_\_\_\_

Defendant/Witness Signature X

[Signature] [Signature]

FOR COURT STAFF ONLY

- Reset by: ☐ Court ☐ Defense ☒ Operation of Law ☐ Prosecution
- Reason for Reset:
- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> D.A. to Contact Complainant/Witness | <input type="checkbox"/> Defense to Contact Witness    | <input checked="" type="checkbox"/> Not Indicted |
| <input type="checkbox"/> D.A. to Evaluate Case                          | <input type="checkbox"/> Disposition of Misd./OOC Case | <input type="checkbox"/> Other _____             |
| <input type="checkbox"/> D.A. to Reindict                               | <input type="checkbox"/> File Unavailable              | <input type="checkbox"/> Refer to _____          |
| <input type="checkbox"/> D.A. to file MRP/MAJ                           | <input type="checkbox"/> MHMRA Evaluation              | <input type="checkbox"/> Restitution Info        |
| <input type="checkbox"/> Defendant On Call                              | <input type="checkbox"/> 21 Day _____ Full             | <input type="checkbox"/> To Hire Attorney        |
| <input type="checkbox"/> Defendant to Consider Offer                    | <input checked="" type="checkbox"/> No Tape/Lab _____  |  |
|   | <input checked="" type="checkbox"/> No Offense Report  |  |

CAUSE NO. 1634352CHARGE AS H

THE STATE OF TEXAS

§



Defendant

 DISTRICT COURT  
 OF  
 HARRIS COUNTY, TEXAS
Time: 182By: 182
 FILED  
 Marilyn Burgess  
 District Clerk  
 AUG 07 2019  
 Harris County, Texas

## CASE RESET FORM

The undersigned Counsel hereby agrees this case is reset for

9-19-19 on 9-19-19 at 8:11 a.m.
Type of Setting Official Copy

Attorney for the State

☐ The State has offered:☐ The State and Defense agree as follows:

Defendant

(Print) Attorney for Defendant

(Signature) Attorney for Defendant

Address

City

State

Zip

Attorney Bar #

Attorney SPN #

Interpreter Requested: Yes or No

Language: \_\_\_\_\_

For: \_\_\_\_\_ Defendant \_\_\_\_\_ Witness

Estimated Length of Assignment: \_\_\_\_\_

## FOR COURT STAFF USE ONLY

Reset by ☐ Court ☒ Defense☐ Operation of Law☒ Prosecution☐ Attorney not present☒ D.A. to contact complainant/witness☐ D.A. to evaluate case☐ D.A. to Reindict☐ D.A. to file MAJ/MRP☐ Defense to contact witness☐ Defendant has new case☐ Defendant on call☐ Defendant to consider offer☐ Disposition of misd./OOC case☐ File Unavailable☒ Summary Evaluation21 Day 8-27-19 Full☐ No Tape/Lab☒ Not indicted☐ Other☐ Refer to☐ Restitution Info☐ To hire Attorney

APPROVED BY THE COURT:

Judge/Coordinator

Date Signed

5/2/12

CAUSE NO. 1634352

THE STATE OF TEXAS

§

CHARGE Asst182

DISTRICT COURT

OF

Time: \_\_\_\_\_

Harris County, Texas

By \_\_\_\_\_  
HARRIS COUNTY, TEXAS

Deputy

SEP 19 2019

Defendant

**CASE RESET FORM**

The undersigned Counsel hereby agrees this case is reset for

Type of Setting

Attorney for the State

☐ The State has offered:4TDCS or WR☐ The State and Defense agree as follows:

Defendant

(Print) Attorney for Defendant

(Signature) Attorney for Defendant

Address

City

State

Zip

Harris County Public Defenders Office  
Attorney Bar # KEATING, KEVIN Attorney SPN # Asst. Public Defender  
TSBN 00787813 SPN 50787813

Phone Number

Interpreter Requested: Yes or No

Language: \_\_\_\_\_

For: \_\_\_\_\_ Defendant \_\_\_\_\_ Witness

Estimated Length of Assignment: \_\_\_\_\_

Email Address

**FOR COURT STAFF USE ONLY**Reset by ☐ Court☒ Defense☐ Operation of Law☒ Prosecution☐ Attorney not present☒ D.A. to contact complainant/witness☒ D.A. to evaluate case☐ D.A. to Reindict☐ D.A. to file MAJ/MRP☐ Defense to contact witness☐ Defendant has new case☐ Defendant on call☐ Defendant to consider offer☐ Disposition of misd./OOC case☐ File Unavailable☐ MHMRA Evaluation

\_\_\_\_ 21 Day \_\_\_\_ Full

☐ No Tape/Lab☐ Not indicted☒ Other desuay☐ Refer to☐ Restitution Info☐ To hire Attorney

APPROVED BY THE COURT:

Judge/Coordinator

Date Signed

5/2/12

CAUSE NO.

1634352

THE STATE OF TEXAS

§

CHARGE

AS 1+182

DISTRICT COURT

OF

HARRIS COUNTY, TEXAS

**FILED**  
Marilyn B. Bross  
District Clerk

OCT 31 2019

Time:

By:

Harris County, Texas

Deputy

Defendant

**CASE RESET FORM**

The undersigned Counsel hereby agrees this case is reset for

Type of Setting

Attorney for the State

☐ The State has offered:☐ The State and Defense agree as follows:Interpreter Requested: Yes or No  
Language: \_\_\_\_\_

For: \_\_\_\_\_ Defendant \_\_\_\_\_ Witness

Estimated Length of Assignment: \_\_\_\_\_

Defendant

(Print) Attorney for Defendant

(Signature) Attorney for Defendant

Address

City

State

Zip

Attorney Bar #

Attorney SPN #

Phone #

Fax Number

Email Address

**FOR COURT STAFF USE ONLY**Reset by ☐ Court☒ Defense☐ Operation of Law☒ Prosecution☐ Attorney not present☐ D.A. to contact complainant/witness☒ D.A. to evaluate case☐ D.A. to Reindict☐ D.A. to file MAJ/MRP☐ Defense to contact witness☐ Defendant has new case☐ Defendant on call☐ Defendant to consider offer☐ Disposition of misd./OOC case☐ File Unavailable☐ MHMRA Evaluation  
\_\_\_\_\_ 21 Day \_\_\_\_\_ Full☐ No Tape/Lab☐ Not indicted☒ Other TRAS☐ Refer to☐ Restitution Info☐ To hire Attorney

APPROVED BY THE COURT:

Judge/Coordinator

Date Signed

1031-19

5/2/12

CAUSE NO. 1634352

THE STATE OF TEXAS

§

Defendant

CHARGE At

OF

HARRIS COUNTY, TEXAS

**FILED**  
Marilyn Bu...  
District Clerk  
DEC 19 2019  
Harris County, Texas  
Deputy

**CASE RESET FORM**

The undersigned Counsel hereby agrees this case is reset for

Type of Setting MT

on

at

a.m.

Attorney for the State

☐ The State has offered:☐ The State and Defense agree as follows:

Still need TRAS  
+ housing solution

Defendant

(Print) Attorney for Defendant

(Signature) Attorney for Defendant

Address

City

State

Zip

Attorney Bar #

Attorney SPN #

Interpreter Requested: Yes or No

Language: \_\_\_\_\_

For: \_\_\_\_\_ Defendant \_\_\_\_\_ Witness

Estimated Length of Assignment: \_\_\_\_\_

**FOR COURT STAFF USE ONLY**

Reset by

☐ Court☒ Defense☐ Operation of Law☐ Prosecution☐ Attorney not present☐ D.A. to contact complainant/witness☐ D.A. to evaluate case☐ D.A. to Reindict☐ D.A. to file MAJ/MRP☐ Defense to contact witness☐ Defendant has new case☐ Defendant on call☐ Defendant to consider offer☐ Disposition of misd./OOC case☐ File Unavailable☐ MHMRA Evaluation

\_\_\_\_ 21 Day \_\_\_\_ Full

☐ No Tape/Lab☐ Not indicted☒ Other TRAS 2☐ Refer to☐ Restitution Info☐ To hire Attorney

APPROVED BY THE COURT:

Judge/Coordinator

Date Signed

RECORDER'S MEMORANDUM

This instrument is of poor quality  
at the time of imaging.

5/2/12



CAUSE NO.

1634352

THE STATE OF TEXAS

CHARGE

B1+

**FILED**Marilyn Burgess  
District Clerk

DISTRICT COURT

FEB 19 2020

Time:

Harris County, Texas

OF

By

Deputy

HARRIS COUNTY, TEXAS

Defendant

**CASE RESET FORM**

The undersigned Counsel hereby agrees this case is reset for

MAT

on

04-16-2020

at

a.m.

Type of Setting

Attorney for the State

☐ The State has offered:☐ The State and Defense agree as follows:

PD eval

Defendant

(Print) Attorney for Defendant

(Signature) Attorney for Defendant

Address

Houston TX 77002

City

State

Zip

00797313

5078783

Attorney Bar #

Attorney SPN #

Interpreter Requested: Yes or No

Language:

For: Defendant Witness

Estimated Length of Assignment:

Phone Number

Fax Number

Email Address

**FOR COURT STAFF USE ONLY**Reset by ☐ Court☒ Defense☐ Operation of Law☐ Prosecution☐ Attorney not present☐ D.A. to contact complainant/witness☐ D.A. to evaluate case☐ D.A. to Reindict☐ D.A. to file MAJ/MRP☐ Defense to contact witness☐ Defendant has new case☐ Defendant on call☐ Defendant to consider offer☐ Disposition of misd./OOC case☐ File Unavailable☒ MHA Evaluation

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APPROVED BY THE COURT:

Judge/Coordinator

Date Signed

5/2/12



CAUSE NO. 163435201010

INCIDENT NO. /TRN: 9267133047A001

Pgs-4

DIJWJT  
(999)

THE STATE OF TEXAS

§ IN THE 182ND DISTRICT

V.

§  
§ COURT§  
§ HARRIS COUNTY, TEXAS

STATE ID No.:TX05178984

§  
§

## JUDGMENT OF CONVICTION BY COURT—WAIVER OF JURY TRIAL

Judge Presiding: KELLY JOHNSON

Date Sentence Imposed: 9/2/2020

Attorney for State: JANA OSWALD

Attorney for Defendant: KEATING, KEVIN P.

Offense for which Defendant Convicted:

ASSAULT-BODILY INJURY NCIC 131302

Charging Instrument:Statute for Offense:

INDICTMENT

Date of Offense:Plea to Offense:

6/6/2019

GUILTY

Degree of Offense:Findings on Deadly Weapon:

CLASS A MISDEMEANOR

N/A

Terms of Plea Bargain (if any): or ☐ Terms of Plea Bargain are attached and incorporated herein by this reference.

1 YEAR HCJ STATE MOVES TO REDUCE FROM 2ND DEGREE TO NCIC 131302

Reduced from: 2ND DEGREE

1<sup>st</sup> EnhancementFinding on 1<sup>st</sup> Enhancement

Paragraph: N/A

Paragraph: N/A

2<sup>nd</sup> EnhancementFinding on 2<sup>nd</sup> Enhancement

Paragraph: N/A

Paragraph: N/A

☐ SENTENCE OF CONFINEMENT SUSPENDED, DEFENDANT PLACED ON COMMUNITY SUPERVISION FOR N/A .

(The document setting forth the conditions of community supervision is incorporated herein by this reference.)

Punishment and Place ofConfinement:

1 YEAR COUNTY JAIL

DATE SENTENCE COMMENCES:

(Date does not apply to confinement served as a condition of community supervision.)

09/02/2020

THIS SENTENCE

SHALL RUN:

CONCURRENT

Fines:

\$ N/A

Restitution:

\$ N/A

Restitution Payable to: N/A

(See special finding or order of restitution which is incorporated herein by this reference.)

Court Costs:

\$ 270.00

Reimbursement Fees:

\$ 15.00

☐ Defendant is required to register as sex offender in accordance with Chapter 62, Tex. Code Crim. Proc.

(For sex offender registration purposes only) The age of the victim at the time of the offense was N/A .

Total Jail TimeCredit:

If Defendant is to serve sentence in county jail or is given credit toward fine and costs, enter days credited below.

455 DAYS

NOTES: TOWARD FINE AND COSTS

Was the victim impact statement returned to the attorney representing the State? N/A

(FOR STATE JAIL FELONY OFFENSES ONLY) Is Defendant presumptively entitled to diligent participation credit in accordance with Article 42A.559, Tex. Code Crim. Proc.? N/A

This cause was called and the parties appeared. The State appeared by her District Attorney as named above.

Counsel / Waiver of Counsel (select one)



- ☒ Defendant appeared with counsel.
- ☐ Defendant appeared without counsel and knowingly, intelligently, and voluntarily waived the right to representation by counsel in writing in open court.
- ☐ Defendant was tried in absentia.

Both parties announced ready for trial. Defendant waived the right of trial by jury and entered the plea indicated above. It appeared to the Court that Defendant was mentally competent to stand trial, made the plea freely and voluntarily, and was aware of the consequences of the plea. The Court received the plea and entered it of record. After hearing the evidence submitted, if any, the Court **ADJUDGES** Defendant **GUILTY** of the offense indicated above. The Court **FINDS** that the Presentence Investigation, if so ordered, was done according to the applicable provisions of Subchapter F, Chapter 42A, Tex. Code Crim. Proc.

Having been convicted of the offense designated above, the Court **ORDERS** Defendant punished in accordance with the Court's findings as to the proper punishment as indicated above, and after having conducted an inquiry into Defendant's ability to pay, as directed by Article 42.15, Code Crim. Proc., the Court **ORDERS** Defendant to pay the fine, court costs, reimbursement fees, and restitution as indicated above and further detailed below.

**Punishment Options (select one)**

- ☐ **Confinement in State Jail or Institutional Division.** The Court **ORDERS** the authorized agent of the State of Texas or the County Sheriff to take and deliver Defendant to the Director of the Correctional Institutions Division, TDCJ, for placement in confinement in accordance with this judgment. The Court **ORDERS** Defendant remanded to the custody of the County Sheriff until the Sheriff can obey the directions in this paragraph. Upon release from confinement, the Court **ORDERS** Defendant to proceed without unnecessary delay to the District Clerk's office, or any other office designated by the Court or the Court's designee, to pay or to make arrangements to pay any fines, court costs, reimbursement fees, and restitution due.
- ☒ **County Jail—Confinement / Confinement in Lieu of Payment.** The Court **ORDERS** Defendant committed to the custody of the County Sheriff immediately or on the date the sentence commences. Defendant shall be confined in the county jail for the period indicated above. Upon release from confinement, the Court **ORDERS** Defendant to proceed without unnecessary delay to the District Clerk's office, or any other office designated by the Court or the Court's designee, to pay or to make arrangements to pay any fines, court costs, reimbursement fees, and restitution due.
- ☐ **County Jail—State Jail Felony Conviction.** Pursuant to §12.44(a), Tex. Penal Code, the Court **FINDS** that the ends of justice are best served by imposing confinement permissible as punishment for a Class A misdemeanor instead of a state jail felony. Accordingly, Defendant will serve punishment in the county jail as indicated above. The Court **ORDERS** Defendant committed to the custody of the County Sheriff immediately or on the date the sentence commences. Upon release from confinement, the Court **ORDERS** Defendant to proceed without unnecessary delay to the District Clerk's office, or any other office designated by the Court or the Court's designee, to pay or to make arrangements to pay any fines, court costs, reimbursement fees, and restitution due.
- ☐ **Fine Only Payment.** The punishment assessed against Defendant is for a **FINE ONLY**. The Court **ORDERS** Defendant to proceed immediately to the District Clerk's office, or any other office designated by the Court or the Court's designee, to pay or to make arrangements to pay the fine, court costs, reimbursement fees, and restitution ordered by the Court in this cause.
- ☐ **Confinement as a Condition of Community Supervision.** The Court **ORDERS** Defendant confined days in as a condition of community supervision. The period of confinement as a condition of community supervision starts when Defendant arrives at the designated facility, absent a special order to the contrary.

**Fines Imposed Include (check each fine and enter each amount as pronounced by the court):**

- ☐ General Fine (§12.32, 12.33, 12.34, or 12.35, Penal Code, Transp. Code, or other Code) \$ (not to exceed \$10,000)
- ☐ Add'l Monthly Fine for Sex Offenders (Art. 42A.653, Code Crim. Proc.) \$ As assessed as a Cond. CS (\$5.00/per month of community supervision)
- ☐ Child Abuse Prevention Fine (Art. 102.0186, Code Crim. Proc.) **\$100**
- ☐ EMS, Trauma Fine (Art. 102.0185, Code Crim. Proc.) **\$100**
- ☐ Family Violence Fine (Art. 42A.504 (b), Code Crim. Proc.) **\$100**
- ☐ Juvenile Delinquency Prevention Fine (Art. 102.0171(a), Code Crim. Proc.) **\$50**
- ☐ State Traffic Fine (§ 542.4031, Transp. Code) **\$50**
- ☐ Children's Advocacy Center Fine - as Cond of CS (Art. 42A.455, Code Crim. Proc.) \$ As assessed in Cond of CS (not to exceed \$50)
- ☐ Repayment of Reward Fine (Art. 37.073/42.152, Code Crim. Proc.) \$ (To Be Determined by the Court)
- ☐ Repayment of Reward Fine - as Cond of CS (Art. 42A.301 (b) (20), Code Crim. Proc.) \$ As assessed as a Cond. CS. (not to exceed \$50)
- ☐ DWI Traffic Fine (a/k/a Misc. Traffic Fines) (§ 709.001, Transp. Code) \$ (not to exceed \$6,000)

**Execution of Sentence**

The Court **ORDERS** Defendant's sentence **EXECUTED**. The Court **FINDS** that Defendant is entitled to the jail time credit indicated above. The attorney for the state, attorney for the defendant, the County Sheriff, and any other person having or who had custody of Defendant shall assist the clerk, or person responsible for completing this judgment, in calculating Defendant's credit for time served. All supporting documentation, if any, concerning Defendant's credit for time served is incorporated herein by this reference.

**Furthermore, the following special findings or orders apply:**

**Date Judgment Entered: September 2, 2020**

X

KELLY JOHNSON

JUDGE PRESIDING

Clerk: B YOUNG

Notice of Appeal Filed: \_

Mandate Received: \_\_\_\_\_ Type of Mandate: \_\_\_\_\_

After Mandate Received, Sentence to Begin Date is: \_\_\_\_\_

Jail Credit: \_\_\_\_\_ DAYS

Case Number: 1634352 Court: 182ND Defendant: [REDACTED]



Thumbprint

MODEL WRITTEN ADMONITION ON INELIGIBILITY TO POSSESS FIREARM OR AMMUNITION

In accordance with Texas Administrative Code §176.1, the Court hereby admonishes you of the following:

1. You are, by entry of order or judgment, ineligible under Texas law to possess a firearm or ammunition.
2. Beginning now, if you possess a firearm or ammunition it could lead to charges against you. If you have questions about how long you will be ineligible to possess a firearm or ammunition, you should consult an attorney.
3. Under Texas Penal Code §46.01(3):
  - a. **"Firearm"** means any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use
  - b. **"Firearm"** does not include a firearm that may have, as an integral part, a folding knife blade or other characteristics of weapons made illegal by Penal Code Chapter 46 and that is (1) an antique or curio firearm manufactured before 1899 or (2) a replica of an antique or curio firearm manufactured before 1899 but only if the replica does not use rim fire or center fire ammunition.

The statutes listed below are a starting point for ineligibility to possess a firearm or ammunition. For more information about the laws that make you ineligible to possess a firearm or ammunition, or for more information on how long your ineligibility to possess a firearm or ammunition lasts, the Court recommends you contact an attorney.

- Code of Criminal Procedure Article 17.292 – Magistrate's Order for Emergency Protection
- Code of Criminal Procedure Article 42.0131 – Notice for Persons Convicted of Misdemeanors Involving Family Violence
- Penal Code §46.02 – Unlawful Carrying Weapons
- Penal Code §46.04 – Unlawful Possession of Firearm
- Penal Code §25.07 – Violation of Certain Court Orders or Conditions of Bond in a Family Violence, Child Abuse or Neglect, Sexual Assault or Abuse, Indecent Assault, Stalking, or Trafficking Case
- Family Code §85.026 – Warning on Protective Order

DATE: 09/02/2020

DEFENDANT:

CASE NUMBER: 163435201010

DEFENDANT NAME: